

DEC 17 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.For: ELECTROSURGICAL BIOPSY
DEVICE AND METHOD

Serial No.: 10/650,027

Filed: August 27, 2003

Atty. Docket No.: R0367-00302

Examiner: C. A. Marmor, II

Group Art Unit: 3736

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (703) 872-9306, addressed to Examiner C. A. Marmor, II, at Mail Stop
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 17, 2004, in San Francisco, CA.

Anne Marie Leav

TERMINAL DISCLAIMER BY ATTORNEY

Via FacsimileMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Edward J. Lynch, am an attorney representing the Assignee, SenoRx, Inc. The assignee is the registered owner of all right, title and interest in and to the above-identified application. The assignment is recorded in Reel No. 9482, Frame 0948-0952.

The applicants hereby disclaim the any patent which is granted on the above-identified application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,261,241.

It is hereby agreed that any patent which issues from the above identified application shall be enforceable only for and during such period that the legal title to any patent granted on the above-identified application shall be the same as the legal title to

1.

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